

Application No.: 09/893,890
Pre-Appeal Brief Request for Review

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Juha SALO *ET AL.*

Serial No.: 09/893,890

Filed: June 29, 2001

For: RECEIVER

Atty. Docket No.: 004770.00775

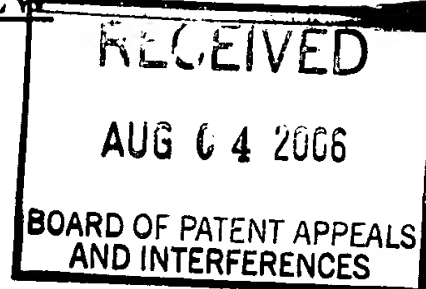
Group Art Unit: 2142

Examiner: Nguyen, David Q.

Confirmation No.: 2617

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Box AF
U.S. Patent and Trademark Office
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Randolph Building
401 Dulany Street
Alexandria, VA 22314



Sir:

Applicants respectfully request review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a Notice of Appeal. The review is requested for the reasons stated in the below remarks. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

Remarks

Having received and reviewed the final Office Action dated April 4, 2006, and the Advisory Action dated June 29, 2006, Applicants respectfully submit that the standing rejections are based on one or more clear errors, and that the appeal process can be avoided through a pre-appeal brief review as set forth in the Official Gazette notice of July 12, 2005.

The pending rejections fail to address all the claim limitations, and exhibit clear factual and legal errors with respect to the cited references. The specific error relied upon in this Pre-Appeal Brief Request for Review includes the following:

- The Office made clear error in relying on the combination of Tegler and Yost, as argued in Applicant's Request for Reconsideration filed June 20, 2006, pp. 5-6.

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Applicants believe this to be clear factual error, buttressed by the fact that Applicants promoted this sole argument in its June 20, 2006, Request.

While Applicants believe the above point represents the clearest error made by the Office, Applicants reserve the right to appeal on other bases and errors. In addition, Applicants believe the rejections of other claims not identified above are also based on one or more Office errors. Applicants will address such issues on appeal should the appeal of this case proceed after the Office's consideration of this paper.

CONCLUSION

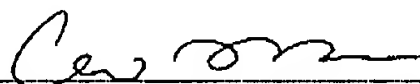
All issues having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. However, if for any reason the review panel believes the application is not in condition for allowance or there are any questions, the review panel is invited to contact the undersigned at (202) 824-3156.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated this 2nd day of Aug, 2006

By:


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